

FEI HOLDINGS, INC., a Washington corporation)	CASE NO. CV09-8931 CBM (Ex)
)	
)	Assigned to: Hon. Consuelo B. Marshall
)	
Plaintiff,)	DEFENDANT'S NOTICE OF MOTION
)	AND MOTION TO DISMISS
vs.)	PURSUANT TO FED. R. CIV. P.
)	12(b)(1) and 12(b)(6)
LACDCS PARTNERSHIP, a California General Partnership,)	
)	Hearing Date: March 1, 2010
)	Time: 10:00 a.m.
)	Place: Courtroom of the Honorable
Defendants.)	Consuelo B. Marshall

This motion is supported by Defendant's Brief in Support of Its Motion to Dismiss Pursuant to Fed.R.Civ.P. 12(b)(1) and 12(b)(6); the Declarations of Deborah Miles and

1 Kathryn Bassett, exhibits and possibly documents submitted in reply to any opposition
2 and statements and documents provided at the hearing.
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4 Dated: January 27, 2010
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6 Respectfully submitted,
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8 BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN, LLP
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11 Dennis G. Martin

12 Willmore F. Holbrow

13 Blakely Sokoloff Taylor & Zafman, LLP

14 Attorneys for Defendant LACDCS
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PROOF OF SERVICE
STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the County of Los Angeles, State of California, by Blakely, Sokoloff, Taylor & Zafman LLP. My business address is 12400 Wilshire Boulevard, Suite 700, Los Angeles, California 90025. I am over the age of 18 and not a party to the within action.

On January 27, 2010 I served a true and correct copy of the foregoing document described **DEFENDANT'S NOTICE OF MOTION AND MOTION TO DISMISS PURSUANT TO FED. R. CIV. P. 12(b)(1) and 12(b)(6)**

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METHOD OF SERVICE

X (BY MAIL) I caused such envelope(s) with sufficient postage thereon fully prepaid to be placed in the United States Mail at Los Angeles, California.

X (BY ELECTRONIC MAIL) I caused a true and correct copy of the attached document to be sent via e-mail to the email address listed above)

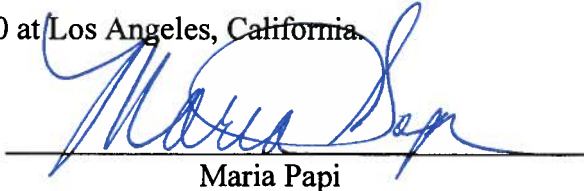
_____ (BY FACSIMILE) I caused such document to be transmitted by facsimile to the address listed above.

_____ (BY PERSONAL SERVICE) I caused such documents to be delivered by hand to the person(s) listed above.

JURISDICTION

X (FEDERAL) I declare that this document was delivered at the request of a member of the bar of this court, at whose direction the service was made.

Executed on January 27, 2010 at Los Angeles, California.


Maria Papi